

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Midlands Utility, Inc., Requesting  
Approval of a Wholesale Agreement with the Town  
of Lexington

217491  
BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

COPY

Posted: lod

Dept: SA

Date: 7/2/09

Time: 2:10

DOCKET

NUMBER: 2009 - 213 - S

(Please type or print)

Submitted by: Keith G. Parnell

SC Bar Number: \_\_\_\_\_

Address: PO Box 887

Telephone: 803 359 4803

Lexington SC 29071

Fax: \_\_\_\_\_

Other: \_\_\_\_\_

Email: \_\_\_\_\_

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input checked="" type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input checked="" type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

RECEIVED

JUL 02 2009

PSC SC  
DOCKETING DEPT.

RETURN DATE: 7/10/09 ok  
SERVICE: ok lod



# MIDLANDS UTILITY, INC.

816 EAST MAIN STREET • P. O. BOX 887  
LEXINGTON, SOUTH CAROLINA 29072  
TELEPHONE: 359-4803

June 25, 2009

RECEIVED

Jocelyn G. Boyd, Deputy Clerk  
Docketing Department  
Public Service Commission of South Carolina  
PO Drawer 11649  
Columbia SC 29211

JUL 02 2009  
PSC SC  
DOCKETING DEPT.

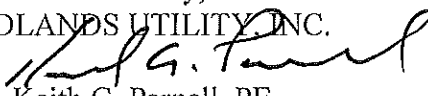
RE: Application of Midlands Utility, Inc., Requesting Approval of a Wholesale  
Wastewater Agreement with the Town of Lexington  
DOCKET NO 2009-213-S

Dear Ms. Boyd:

Please find enclosed the Affidavit of Publication of the Notice of Filing for the above  
referenced docket that was published in the Lexington County Chronicle on June 18,  
2009.

Should you have any questions feel free to contact me.

Sincerely,  
MIDLANDS UTILITY, INC.

  
Keith G. Parnell, PE

encl.

cc: file

Elliott & Elliott w/encl  
ORS w/encl.

Lexington County  
**Chronicle**  
& The Dispatch-News - Since 1870

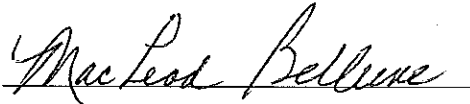
131 Swartz Rd • Post Office Box 9  
Lexington, SC 29072  
(803) 359-7633

## Affidavit of Publication

I hereby certify that on the dates appearing below, I did publish the attached notice in The Lexington County Chronicle & The Dispatch-News, a newspaper of general circulation in the County of Lexington, State of South Carolina, in accordance with the laws of said county and state.


Publication Dates:

June 18, 2009



The Lexington County Chronicle  
& The Dispatch-News

Sworn to before me this 25th day of  
June, 2009



Hilda Crain  
Notary Public for South Carolina

My Commission expires: October 8, 2009

PUBLIC SERVICE  
COMMISSION OF SOUTH  
CAROLINA  
DOCKETING  
DEPARTMENT  
**NOTICE OF FILING**  
**2009-213-S**

APPLICATION OF  
MIDLANDS UTILITY, INC.  
REQUESTING APPROVAL  
OF A WHOLESALE BULK  
WASTEWATER AGREEMENT  
WITH THE TOWN OF  
LEXINGTON AND EXPANSION  
OF SERVICE AREA

Midlands Utility, Inc. ("Midlands") has filed an Application with the Public Service Commission of South Carolina (the "Commission") requesting that the Commission determine whether a certain Bulk Wholesale Wastewater Agreement ("the Agreement") to be entered into with the Town of Lexington ("Lexington") is in the public interest. If the Commission finds that said Agreement is in the public interest, Midlands requests that the Commission approve the Agreement and order Midlands to comply with the terms of the Agreement. The Application was filed pursuant to S.C. Code Ann. §58-5-210 and 26 S.C. Code Ann. Regs. 103-503 and 103-541.

Currently, Midlands serves approximately five hundred sixty-six (566) residents and or businesses in and near the Town of Lexington, in Lexington County. Midlands seeks to provide sewer service to a parcel of property just east of Interstate 20, and on the north side of U.S. Highway 378 east of the Town of Lexington. According to the Application, Midlands wants to enter into that Agreement with Lexington. This Agreement requires that Lexington accept wastewater from customers in the Town of Lexington. Further, after connecting to Lexington's wastewater force main system, Midlands will provide collection - only services to its customers located on the parcel of property just east of Interstate 20, and on the north side of U.S. Highway 378 east of the Town of Lexington.

Also, according to the Agreement, Lexington will charge Midlands a wholesale rate for the transportation and treatment of its wastewater. The initial wholesale flat rate of \$3.45 per 1,000 gallons will be charged for wastewater customers.

A copy of the Company's entire Application can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, 101 Executive Center Drive, Columbia, South Carolina 29210. Additionally, the Application is available on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov) and is available from Charles H. Cook, Esquire, and Scott Elliott, Esquire, Elliott & Elliott, P.A., 721 Olive Street, Columbia, South Carolina 29205.

A public hearing, if scheduled, will be held in Columbia, South Carolina in the offices of the Commission at the above address, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before July 10, 2009, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2009-213-S.

Any person who wishes to testify and present evidence at the hearing, if scheduled, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff, at 1401 Main Street, Suite 800, Columbia, South Carolina 29201 and Charles H. Cook, Esquire and Scott Elliott, Esquire, at the above address, on or before July 10, 2009, and indicate the amount of time

required for his presentation. Please refer to Docket No. 2009-213-S.

Any person, who wishes to be notified of the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before July 10, 2009. Please refer to Docket No. 2009-213-S.

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 11849  
Columbia, South Carolina 29211  
6/09/09  
6-18